

STONE MAGNANINI

COMPLEX LITIGATION

September 20, 2023

VIA ECF

Hon. Judge Judith C. McCarthy
United States Magistrate Judge
300 Quarropas Street, Room 421
White Plains, NY 10601-4150

Re: *Hayden v. International Business Machines Corp., et al.*
Civil Action No.: 7:21-cv-02485-VB

Dear Judge McCarthy:

I write as a follow up to the order for alternative service on Mr. Thomas Eck which Your Honor entered last Friday, September 15, 2023 (Dkt. 162). Pursuant to the Court's order, we served Mr. Eck with both a subpoena pursuant to Federal Rule of Civil Procedure 45 and a copy of the order for alternative service via his work email and his personal email.

We received a bounce back email that he was out of his office, so we also served his assistant whose email was listed on the message and asked her to forward the documents to Mr. Eck. We also served Mr. Eck via regular and certified mail at his home address.

Service was successful and Mr. Eck reached out to Defendants' counsel at Jones Day for representation. We are currently discussing a date for Mr. Eck's deposition with Defendants' counsel.

Respectfully submitted,

s/Robert A. Magnanini
Robert A. Magnanini
Managing Partner

cc: All counsel of record (via CM/ECF)